

delivered, issued for delivery, or renewed and that law is continued in effect for that purpose.

SECTION 17. Section 3C, Article 3.51-6, Insurance Code, as added by this Act, applies to the notice of conversion and group continuation privileges that accrue on and after January 1, 1990. Conversion and group continuation privileges that accrue before January 1, 1990, are governed by the law that existed before September 1, 1989, and that law is continued in effect for that purpose.

SECTION 18. Sections 11, 12, 13, and 14 of this Act apply to all policies, contracts, certificates, and evidences of coverage delivered, issued for delivery, or renewed on or after January 1, 1990. Policies, contracts, certificates, and evidences of coverage delivered, issued for delivery, or renewed before January 1, 1990, are subject to that law as it existed before September 1, 1989, and that law is continued in effect for that purpose.

SECTION 19. Except as otherwise provided by this Act, this Act takes effect September 1, 1989.

SECTION 20. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed by the House on May 17, 1989, by the following vote: Yeas 101, Nays 41, 1 present, not voting; that the House refused to concur in Senate amendments to H.B. No. 2308 on May 29, 1989, and requested the appointment of a conference committee to consider the differences between the two houses; and that the House adopted the conference committee report on H.B. No. 2608 on May 29, 1989, by a non-record vote; passed by the Senate, with amendments, on May 27, 1989, by the following vote: Yeas 31, Nays 0; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; and that the Senate adopted the conference committee report on H.B. No. 2608 on May 29, 1989, by a viva-voce vote.

Approved June 16, 1989.

Effective Sept. 1, 1989.

CHAPTER 1042

H.B. No. 2629

AN ACT

relating to the acquisition of the Texas Employment Commission facilities by the State Purchasing and General Services Commission and to the lease of vending facility space in certain state-owned buildings under the jurisdiction of the purchasing commission.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 27, Texas Public Finance Authority Act (Article 601d, Vernon's Texas Civil Statutes), is amended to read as follows:

Sec. 27. PURCHASE AND RENOVATION OF TEXAS EMPLOYMENT COMMISSION PROPERTY. (a) ~~The [Texas Employment Commission shall sell to the]~~ State Purchasing and General Services Commission *may take possession of the office buildings and parking facilities [in its possession] in or near the Capitol Complex occupied by the Texas Employment Commission. To take possession [The sale shall be under an agreement between the Texas Employment Commission and]* the State Purchasing and General Services Commission *must [on a price sufficient to]* provide the Texas Employment Commission adequate, alternative office and parking space *in the city of Austin [outside the Capitol Complex] and obtain [with] the necessary concurrence that may be required by the United States government. On receiving that concurrence, title to the property is in the State Purchasing and General Services Commission, and the*

employment commission and purchasing commission shall execute the documents necessary to show title in the purchasing commission.

(b) If the [The] State Purchasing and General Services Commission takes possession of the [shall, under an agreement with the Texas Employment Commission and subject to the availability of funds authorized by this Act, purchase] office buildings and parking facilities of the Texas Employment Commission located in or near the Capitol Complex[, If the offices are acquired], the State Purchasing and General Services Commission may, from funds made available by the authority or from other available funds, renovate the facilities as necessary for occupancy by other state agencies or by the legislature or legislative agencies. Before renovating the facilities or making the facilities available for occupancy to a state agency, the purchasing commission shall offer the space to the legislature for its use and occupancy. For that purpose, the purchasing commission shall notify the lieutenant governor and the speaker of the house in writing, who may claim the property for the use and occupancy of the legislature and legislative agencies by delivering a written notice signed by both officers to the executive director of the commission. The notice must be delivered to the executive director before the 120th day after the date on which those officers receive notice of the availability of the property.

(c) If at any time the lieutenant governor and the speaker deliver a written notice, signed by each, to the executive director of the purchasing commission stating that the employment commission facilities in or near the Capitol Complex are necessary for legislative use and occupancy, the property shall be made available for that use and occupancy as soon as possible but not later than the second anniversary of the date on which the executive director of the purchasing commission receives the notice from the lieutenant governor and the speaker. If the employment commission is at that time in possession of the property:

(1) the purchasing commission shall take possession of the property and the employment commission shall vacate the property;

(2) from funds made available by the authority or from funds appropriated for that purpose, the purchasing commission shall purchase or construct adequate, alternative office and parking space in the city of Austin for the employment commission and shall obtain the necessary concurrence that may be required by the United States government; and

(3) on receiving that concurrence, title to the property is in the purchasing commission and the purchasing commission and employment commission shall execute the documents necessary to show title in the purchasing commission.

(d) Subject to the availability of funds, the purchasing commission may renovate facilities purchased for the employment commission as necessary for occupancy by the employment commission. Any available funds remaining after purchase and renovation of the facilities for the employment commission may be used by the purchasing commission to renovate the facilities of the employment commission transferred under this section as necessary for occupancy by state agencies or the legislature and legislative agencies. [In negotiating the price for the Texas Employment Commission facilities, the State Purchasing and General Services Commission shall consider the cost to the Texas Employment Commission of alternative space. The State Purchasing and General Services Commission shall also consider the price in the context of the reasonable rates that might otherwise be paid by prospective occupying state agencies for rent in comparable space. The State Purchasing and General Services Commission may not agree to a price greater than one and one-half times the estimated amount in Section 24 of this Act.]

SECTION 2. Section 4.15, State Purchasing and General Services Act (Article 601b, Vernon's Texas Civil Statutes), is amended by adding Subsection (l) to read as follows:

(l) Notwithstanding Subsections (b), (f), and (j) of this section or Article 3 of this Act, the commission shall give a preference, when leasing space for the operation in a state-owned building of a vending facility as defined by Chapter 94, Human Resources Code, to an existing lessee, licensee, or contractor who operates a vending facility on the property if:

(1) the existing lessee, licensee, or contractor has operated a vending facility on the property for not less than 10 years;

(2) Chapter 94, Human Resources Code, does not apply to the property;

(3) the commission finds there is a history of quality and reliable service; and

(4) the proposal of the existing lessee, licensee, or contractor for the right to continue operation of the facility is consistent with the historical quality of service and the historical retail pricing structure at the facility.

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed by the House on May 19, 1989, by the following vote: Yeas 138, Nays 0; that the House refused to concur in Senate amendments to H.B. No. 2629 on May 29, 1989, and requested the appointment of a conference committee to consider the differences between the two houses; and that the House adopted the conference committee report on H.B. No. 2629 on May 29, 1989, by a non-record vote; passed by the Senate, with amendments, on May 27, 1989, by the following vote: Yeas 31, Nays 0; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; and that the Senate adopted the conference committee report on H.B. No. 2629 on May 29, 1989, by the following vote: Yeas 31, Nays 0.

Approved June 16, 1989.

Effective Aug. 28, 1989, 90 days after date of adjournment.

CHAPTER 1043

H.B. No. 2706

AN ACT

relating to the regulation of narcotic drug treatment programs; providing penalties.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Chapter 618, Acts of the 62nd Legislature, Regular Session, 1971 (Article 4476-11, Vernon's Texas Civil Statutes), is revised to read as follows:

ARTICLE I. GENERAL PROVISIONS

Sec. 1.01. DEFINITIONS. In this Act:

(1) "Approved narcotic drug" means a drug approved by the United States Food and Drug Administration for maintenance and/or detoxification of a person physiologically addicted to opiate class of drugs.

(2) "Authorized agent" means an employee of the department who is designated by the commissioner to enforce this Act.

(3) "Board" means the Texas Board of Health.

(4) "Commissioner" means the commissioner of health.

(5) "Department" means the Texas Department of Health.

(6) "Commission" means the Texas Commission on Alcohol and Drug Abuse.

(7) "Facility" includes a medical office, an outpatient clinic, a general or special hospital, a community mental health center, and any other location in which a structured narcotic dependency program is conducted.

(8) "Narcotic drug" has the meaning given to the term in the Texas Controlled Substances Act (Article 4476-15, Vernon's Texas Civil Statutes).